

154.26-115 Options for companies with preliminary approval or final agreement before July 13, 2004.

- (1) If, prior to July 13, 2004, the authority has given its preliminary approval designating an eligible company as a preliminarily approved company and authorizing the undertaking of an economic revitalization project, but has not entered into a final agreement with the company, the company shall have the one-time option to:
 - (a) Operate under the existing agreement as preliminarily approved; or
 - (b) Request the authority to amend the agreement to comply with the amendments to KRS 154.26-090, 154.26-100, and 141.310 in 2004 Ky. Acts ch. 18, secs. 1, 2, 4, and 5.
- (2) If, prior to July 13, 2004, the authority has entered into a final agreement with an eligible company, and if the final agreement is still in effect, the company shall have the one-time option to:
 - (a) Operate under the existing final agreement; or
 - (b) Request the authority to amend only the employee assessment portion of the final agreement to comply with the amendment to KRS 154.26-100 in 2004 Ky. Acts ch. 18, sec. 2.

Effective: June 27, 2019

History: Amended 2019 Ky. Acts ch. 151, sec. 68, effective June 27, 2019. -- Created 2004 Ky. Acts ch. 18, sec. 3, effective July 13, 2004.

Legislative Research Commission Note (6/27/2019). Section 85 of 2019 Ky. Acts ch. 151 states that the amendments to this statute made in Section 68 of that Act apply retroactively to April 14, 2018.

Legislative Research Commission Note (4/27/2018). KRS 136.0704 was repealed in 2018 Ky. Acts chs. 171 and 207, but a conforming amendment was not made to this statute to address the reference it contains to KRS 136.0704. The Reviser of Statutes has determined that making such a conforming change during the 2018 codification exceeds the permissible correction of manifest clerical or typographical errors under KRS 7.136(1)(h). Therefore, the reference to KRS 136.0704 remains unchanged and would have to be changed pursuant to future legislative action.

Legislative Research Commission Note (7/13/2004). This section, as enacted in 2004 Ky. Acts ch. 18, sec. 3, is substantially similar to KRS 154.26-085, as enacted in 2004 Ky. Acts ch. 105, sec. 15.